

Appl. No. : 10/762,115
Filed : January 20, 2004

REMARKS

In response to the Office Action mailed January 24, 2005, Applicant has amended the application as above. Claims 1-2, 5 and 9 have been cancelled, without prejudice. Claims 3 and 10 have been merely rewritten in independent form. Upon the entry of the amendments, Claims 3-4, 6-8 and 10-13 are pending in this application. Applicant respectfully requests reconsideration of the application in view of the amendments and the remarks set forth below.

Discussion of Patentability of Pending Claims

Claims 6-8 and 11-13 have been allowed, over the prior art of record, by the Examiner. Claims 3-4 and 10 have been indicated to be allowable, if rewritten in independent form, over the prior art of record, by the Examiner. As discussed above, Claims 3 and 10 have been rewritten in independent form. Thus, Claims 3 and 10 are allowable over the prior art of record. Claim 4 depends from base Claim 3, and further define additional technical features of the present invention. In view of the patentability of its base claim, and in further view of the additional technical features, Applicant respectfully submits that Claim 4 is patentable over the prior art of record.

Claims 1-2, 5 and 9 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Baskin (U.S. Patent No. 1,378,758). In order to expedite the prosecution of the application, Applicant has cancelled rejected Claims 1-2, 5 and 9. However, Applicant reserves the right to argue patentability of Claims 1-2, 5 and 9 in another patent application filed at a later date.

Appl. No. : 10/762,115
Filed : January 20, 2004

CONCLUSION

In view of Applicant's cancellation of rejected Claims 1-2, 5 and 9, it is respectfully submitted that the present application is in condition for allowance. If the Examiner has any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersigned at the indicated telephone number.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _____

7/22/05

By: _____

John M. Carson
Registration No. 34,303
Attorney of Record
Customer No. 20,995
(619) 235-8550

1827419
072205